

REMARKS

Applicant has reviewed the Office Action mailed on August 9, 2006 as well as the art cited. Claims 1, 10, 15, 16, 21, 47 and 51 are currently amended by this response. Claim 15 was amended to correct a typographical error. No new material has been added by this response. Claims 3, 11, 19, 23, 24, 53 and 54 are canceled by this response. Claims 25-45 were previously canceled. Claims 1, 2, 4-10, 12-18, 20-22, and 47-51 are pending in this application.

Claim Objections

Claim 3 was objected to because of informalities. Applicant traverses this objection. Claim 3 has been canceled for the reasons discussed below. Withdrawal of this objection is respectfully requested.

Allowable Subject Matter

Claims 24 and 54 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicant thanks the Examiner for this indication of allowable matter.

With regard to claim 24, independent claim 21 has been amended to include all the limitations of claim 24 including all limitations of any intervening claims. Withdrawal of the objection is respectfully requested.

With regard to claim 54, independent claim 51 has been amended to include all the limitations of claim 54 including all limitations of any intervening claims. Withdrawal of the objection is respectfully requested.

Rejections Under 35 U.S.C. § 112

Claims 2, 12, and 20 were rejected under 35 USC § 112, first paragraph, as failing to comply with the enablement requirement. Applicant traverses these rejections.

The examiner asserts that claims 2, 12 and 20 contain “subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 2, 12 and 20 specify that the performance information includes error counts.” The examiner further queries, “What are the different kinds of error that are being counted?”

Respectfully, the Examiner is directed to paragraph [0019] of the specification which provides “In one embodiment, hardware monitor 130 checks for alarms or error counts and keeps the unit’s SI database 124 refreshed. In one embodiment, SI database 124 accumulates each of the error counts for a 24 hour and 7 day history and the alarms are recorded as first and last occurrence. In other embodiments, SI database 124 accumulates error counts and records alarms based on user requirements.” In regards to the different kinds of error that are being counted, paragraph [0020] specifically provides “remote loss of signal (RLOS), loss of sync word (LOSW), power feed short (PFS)” as specific potential faults. Further specification Table 1 provides descriptions of error conditions such as, but not limited to: Local Loss of Signal, Loss of Frame Alignment, Remote Alarm Indication, an Alarm Indication Signal, Loss of Clock, Loss of Sync Word, Errored Second Threshold, and Power Feed Short.

With respect to claim 2, the claim provides: “The system of claim 1, wherein the performance information includes alarm indications and error counts.” Applicant asserts that the error count discussed in claim 2 is described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention, and that claim 2 is allowable for at least that reason. Reconsideration and withdrawal of this rejection is respectfully requested.

With respect to claim 12, the claim provides: “The system of claim 10, wherein the alarm information includes alarm indications and error counts.” Applicant asserts that the error count discussed in claim 12 is described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the

invention, and that claim 12 is allowable for at least that reason. Reconsideration and withdrawal of this rejection is respectfully requested.

With respect to claim 20, the claim provides: "The system of claim 16, wherein the performance information includes alarm indications and error counts." Applicant asserts that the error count discussed in claim 20 is described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention, and that claim 20 is allowable for at least that reason. Reconsideration and withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 1-4, 6-12, 14-23 and 47-53 were rejected under 35 USC § 103(a) as being unpatentable over Ganesan et al. (U.S. Patent No. 5,727,160) in view of Harris (U.S. Patent No. 5,946,373) in view of the admitted prior art. Applicant traverses these rejections.

With respect to independent claim 1, applicant has amended claim 1 to include the allowable subject matter identified by the examiner with respect to claim 24. More specifically, the Applicant has amended claim 1 to include:

"wherein the hardware controller comprises:
a change response generator; and
one or more port controllers coupled to the change response generator, and
wherein the change response generator includes a message queue adapted to receive
alarm change messages generated by the system information database."

Ganesan et al., Harris and the admitted prior art, either alone or in combination fail to teach the change response generator and the one or more port controllers as described in the amended claim 1, and for at least that reason, amended claim 1 is allowable. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 2 and 4-9 either directly or indirectly depend on and further define claim 1 and are allowable for at least that reason. Claim 3 is canceled. Reconsideration and withdrawal of these

rejections is respectfully requested.

With respect to independent claim 10, applicant has amended claim 10 to include the allowable subject matter identified by the examiner with respect to claim 24. More specifically, the Applicant has amended claim 10 to include:

“wherein the hardware controller comprises:
a change response generator; and
one or more port controllers coupled to the change response generator, and
wherein the change response generator includes a message queue adapted to receive
alarm change messages generated by the system information database.”

Ganesan et al., Harris and the admitted prior art, either alone or in combination fail to teach the change response generator and the one or more port controllers as described in the amended claim 10, and for at least that reason, amended claim 10 is allowable. Reconsideration and withdrawal of this rejection is respectfully requested.

Claim 11 is canceled. Claims 12-15 either directly or indirectly depend on and further define claim 10 and are allowable for at least that reason. Reconsideration and withdrawal of these rejections is respectfully requested.

With respect to independent claim 16, applicant has amended claim 16 to include the allowable subject matter identified by the examiner with respect to claim 24. More specifically, the Applicant has amended claim 16 to include:

“wherein the hardware module comprises:
a change response generator; and
one or more port controllers coupled to the change response generator, and
wherein the change response generator includes a message queue adapted to receive
alarm change messages generated by the system information database.”

Ganesan et al., Harris and the admitted prior art, either alone or in combination fail to teach the change response generator and the one or more port controllers as described in the amended claim 16, and for at least that reason, amended claim 16 is allowable. Reconsideration and

withdrawal of this rejection is respectfully requested.

Claim 19 is canceled. Claims 17, 18 and 20 either directly or indirectly depend on and further define claim 16 and are allowable for at least that reason. Reconsideration and withdrawal of these rejections is respectfully requested.

With respect to independent claim 21, applicant has amended claim 21 to include the allowable subject matter identified by the examiner with respect to claim 24 including all limitations of any intervening claims. More specifically, the Applicant has amended claim 21 to include:

“wherein the transport hardware controller comprises:
a change response generator; and
one or more port controllers coupled to the change response generator, and
wherein the change response generator includes a message queue adapted to receive
alarm change messages generated by the system information database.”

Ganesan et al., Harris and the admitted prior art, either alone or in combination fail to teach the change response generator and the one or more port controllers as described in the amended claim 21, and for at least that reason, amended claim 21 is allowable. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 23 and 24 are canceled. Claim 22 directly depends on and further defines claim 21 and is allowable for at least that reason. Reconsideration and withdrawal of these rejections is respectfully requested.

With respect to independent claim 47, applicant has amended claim 47 to include the allowable subject matter identified by the examiner with respect to claim 24. More specifically, the Applicant has amended claim 47 to include:

“wherein the hardware controller comprises:
a change response generator; and
one or more port controllers coupled to the change response generator, and
wherein the change response generator includes a message queue adapted to receive
alarm change messages generated by the system information database.”

Ganesan et al., Harris and the admitted prior art, either alone or in combination fail to teach the change response generator and the one or more port controllers as described in the amended claim 47, and for at least that reason, amended claim 47 is allowable. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 48-50 either directly or indirectly depend on and further define claim 47 and are allowable for at least that reason. Reconsideration and withdrawal of these rejections is respectfully requested.

With respect to independent claim 51, applicant has amended claim 51 to include the allowable subject matter identified by the examiner with respect to claim 54 including all limitations of any intervening claims. More specifically, the Applicant has amended claim 51 to include:

“wherein the hardware controller comprises:
a change response generator; and
one or more port controllers coupled to the change response generator;
wherein the change response generator is adapted to react to changes in one or both of the alarm information and stored system status information by transmitting one or more port controller commands to the one or more port controllers; and
wherein the change response generator is adapted with a table to correlate one or more possible changes in the system information database with at least one associated port controller command of the one or more port controller commands.”

Ganesan et al., Harris and the admitted prior art, either alone or in combination fail to teach the change response generator and the one or more port controllers as described in the amended claim 51, and for at least that reason, amended claim 51 is allowable. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 53 and 54 are canceled. Claim 52 directly depends on and further defines claim 51 and is allowable for at least that reason. Reconsideration and withdrawal of these rejections is respectfully requested.

Claims 5 and 13 were rejected under 35 USC § 103(a) as being unpatentable over Ganesan et al. (U.S. Patent No. 5,727,160) in view of Harris (U.S. Patent No. 5,946,373) in view of the admitted prior art as applied to the parent claims, and further in view of Chang et al. (U.S. Patent No. 6,167,279). Applicant traverses these rejections.

With respect to claim 5, Ganesan et al., Harris, Chang et al., and the admitted prior art, either alone or in combination, fail to teach the change response generator and the one or more port controllers as described in the amended claim 1. Claim 5 indirectly depends on and further defines independent claim 1 and is allowable for at least that reason. Reconsideration and withdrawal of this rejection is respectfully requested.

With respect to claim 13, Ganesan et al., Harris, Chang et al., and the admitted prior art, either alone or in combination, fail to teach the change response generator and the one or more port controllers as described in the amended claim 10. Claim 13 indirectly depends on and further defines independent claim 10 and is allowable for at least that reason. Reconsideration and withdrawal of this rejection is respectfully requested.

Serial No.: 10/008,657

Filing Date: 11/9/2001

Attorney Docket No. 100.339US01


Title: IMPROVED HARDWARE MONITORING AND CONFIGURATION MANAGEMENT

CONCLUSION

Applicant respectfully submits that claims 1, 2, 4-10, 12-18, 20-22, and 47-51 are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at 612-455-1687.

Respectfully submitted,

Date: 9/25/2006

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